

## REMARKS

This Preliminary Amendment is filed in order to facilitate processing in the above-identified patent application.

As indicated above, the Specification has been amended for stylistic reasons. Applicant respectfully requests that the Examiner approves the correction.

Additionally, Applicant respectfully traverses the Examiner's rejection of Claims 1-2, 8, 10, 12, and 17 under 35 U.S.C. § 103. The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, Applicant respectfully requests the Examiner withdraws the rejection to the claims and allows the claims to issue.

In the Advisory Action dated November 3, 2005, the Examiner stated that *Dellert et al.* (U.S. Patent No. 6,154,755) discloses a reading condition data generated by the apparatus are the image objects listed in the image object list (col. 5, lines 28-32) and the image time stamp (col. 6, lines 32-33). (See page 3, lines 4-14 of the Advisory Action).

Applicant respectfully brings the Examiner's attention to column 4, lines 56-60 of *Dellert et al.* which states at step 138 update the image object's rotation value (an "image object" is a file saved on the disk which contains the data specifying the image: title; time stamp; category; pointer to high resolution image; file name: thumbnail digital image: data from the source of the image; and pointer to ROTATION.DAT file).

Thus, as clearly stated in column 4, lines 56-60 of *Dellert et al.*, the "image object" is a file saved on the disk and thus is not the reading condition data detected during reading of the document image as claimed in claims 1, 8, 10, 12, 17, and 18.

Rather, column 4, lines 56-60 of *Dellert et al.* clearly teaches that the image object is a file saved on a disk and thus means a file as digital data.

Additionally, column 4, lines 56-60 discloses data for specifying the image including a time stamp. Applicant respectfully submits that the time stamp is when the image file is stored on the disk and is not the time that the image is read.

Also, since *Dellert et al.* merely discloses the time stamp of the image object when the file was stored, nothing in *Dellert et al.* show, teaches or suggests outputting a generating condition acquired when the image data is generated as claimed in claim 18.

Since nothing in *Dellert et al.* shows, teaches, or suggests the primary features as claimed in claims 1, 8, 10, 12, and 17, Applicant respectfully requests the Examiner withdraws the rejection to Claims 1, 8, 10, 12, 17 and 18 under 35 U.S.C. § 103.

Since claims 2-7, 9, 11, 13-16, and 19-21 depend from allowable claims, Applicant respectfully requests the Examiner withdraws the rejection thereto.

Thus it now appears that the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is respectfully requested to contact, by telephone, the applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, applicant respectfully petitions for an appropriate extension of time. The fees for such extension of time may be charged to our Deposit Account No. 02-4800.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 02-4800.

Respectfully submitted,

BUCHANAN INGERSOLL PC

Date: November 28, 2005

By: 

Ellen Marcie Emas  
Registration No. 32,131

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620